

IN THE SENATE OF THE UNITED STATES.

MAY 23, 1860.—Ordered to be printed.

Mr. SUMNER made the following

REPORT.

[To accompany bill S. 463.]

The Committee on Foreign Relations, to whom was referred "the petition of William H. Vesey, United States consul at Havre, to have refunded to him money paid by him on account of the default of certain bankers in Paris with whom he had deposited funds of the government," have had the same under consideration, and report:

The memorialist has been for twenty-six years employed as consul of the United States at St. Ubes and Lisbon, in Portugal; at Antwerp, in Belgium; and, lastly, at Havre, in France; and produces amongst other high evidences of fidelity the assurance of the President of the United States, transmitted through the Secretary of State, "that the satisfactory manner in which he has discharged the official duties during the last sixteen years of the consulates at Lisbon, Antwerp, and Havre, has justly merited and received the commendation of the government of the United States."

It appears that the memorialist had been for many years in the habit of depositing the fees derived from his consular office, and belonging to the United States, in the banking house of Messrs. Greene & Co., to his own credit and at his own risk; and it further appears that this banking house failed on the 27th March, 1857, by which event the memorialist sustained a loss of 7,624f. 20c., which amount he paid out of his own funds to the United States, so that no loss whatsoever was sustained by the government; that since the date of this payment he has received a dividend from Messrs. Greene & Co. amounting to ten per cent. on the balance due him, and leaving unpaid and in default on the ———, 1857, the sum of \$1,318, for which amount he has no security nor any prospect of repayment.

This statement of the memorialist is verified by the clerk of the consulate at Havre, and by the Hon. John Y. Mason, late minister of the United States at Paris.

Mr. Mason moreover states, that he employed Messrs. Greene & Co. as his own "bankers until they suspended business in the month of March last," [1857;] "that up to the date of their suspension the house had" his "entire confidence, and the very large number of depositors with them shows that confidence was general."

He moreover certifies that the memorialist had "often conversed with him on the subject of his safe-keeping of the public money in his hands in the interval between its receipt and disbursement or remittance, in the absence of instructions from the government, and as the provision made by law for the safe-keeping of the public money made by the independent treasury act does not extend to foreign countries, Mr. Vesey's [the memorialist] depositing such moneys with bankers appeared to me to be judicious and far more secure than to endeavor to keep them in his own custody in a seaport city like Havre, where both at his consulate and lodgings they would have been greatly exposed.

"His banking at the banking house of Messrs. Greene & Co. at Havre met my entire approval, and I more than once expressed to him the opinion that without some other means of security being furnished by the government that course seemed to me best for the public interests.

"I had no right to control the operation, but I thought then, and still think, that, as consul, he used extreme diligence and judicious means to protect the public interest."

In addition, there appears the certificate of several merchants, residing and doing business at Havre, "that Messrs. Greene & Co., American bankers at Paris, were considered, previous to their failure, highly respectable bankers, and that a large number of our countrymen, travelers as well as others, deposited funds in their hands for safe-keeping."

Under these circumstances, and upon the evidence quoted, the committee are of opinion that the memorialist has exercised a reasonable degree of vigilance and care in providing for the safety of the public moneys which came into his hands, and that the loss which has been sustained is attributable to no neglect upon his part, but to an accident to which the most prudent persons are liable.

The committee are, therefore, of opinion that, if the facts of deposit and loss, by default, as alleged in the memorial, shall be properly proved before the proper accounting officer of the treasury of the United States, and if the memorialist shall transfer and assign to the government his claim upon the banking house of Greene & Co. for repayment of the balance appearing due him by their default on this account, that thereupon the treasurer of the United States should be authorized to repay and reimburse him, for his advance on account of the loss sustained by the government of the United States, the sum of one thousand five hundred and eighteen dollars, with interest thereon from the date when the loss thereof shall appear to have occurred.

The committee have reported a bill accordingly; and they hereby append the petition of Mr. Vesey, and the accompanying papers.

To the honorable the Senate and House of Representatives:

The undersigned has, with profound respect the honor to submit the following declaration, and to pray for such relief in the premises as may appear to be justly due.

Your petitioner has been a consul of the United States at St. Ubes

and Lisbon, in Portugal; at Antwerp, in Belgium; and, latterly, at Havre, in France; from the year 1835 to 1859, inclusively, making a term of twenty-six years of active and constant duty in the service of his country; and that during that long period of service he has frequently had the privilege of assisting his countrymen, other than seamen, who have been sick, shipwrecked, and in distress, within his consular district, and that he has never asked, nor received, any reimbursement therefor.

That during the term of his consular service he has, at various times, received considerable sums of money on account of the United States, and that such moneys have always been duly and correctly accounted for.

That in proof of the manner he has conducted the affairs of the trusts confided to him by his country, and the manner in which his accounts have been rendered, he begs leave respectfully to refer to documents A and B, hereunto annexed.

That during the year 1857, acting under instructions from the Departments of State and Treasury, and in pursuance of law, he received sundry sums of money on account of the United States, as fees for official acts performed by him.

That he regularly deposited such moneys in the hands of Messrs. Greene & Co., highly respectable American bankers of upwards of forty years standing, and who always bore the highest character for stability and responsibility.

That the money thus deposited was, at the end of each quarter, withdrawn from Messrs. Greene & Co. and remitted, under instructions from the Secretary of the Treasury, to Messrs. Baring Brothers & Co., bankers of the United States, at London, whose receipt was regularly transmitted by your petitioner to the Secretary of the Treasury.

That on the 27th of March, 1857, the said house of Greene & Co. failed, having in their hands at that time \$1,464 46 deposited by your petitioner, derived from fees of office, and belonging to the United States.

That your petitioner, in order to prevent confusion in his accounts with the treasury, remitted the full amount to Messrs. Baring Brothers & Co., for account of the United States, from the proceeds of his own salary for the quarter.

That in proof of this, he respectfully refers to documents herewith, marked C, as well as to the declaration of the Hon. John Y. Mason, minister of the United States at Paris, marked D, and to the certificate, marked E, of several respectable American merchants residing in France, who knew the standing of Messrs. Greene & Co., as bankers before their failure, and to whom the event was as unlooked for and as unexpected as it was to your petitioner.

That your petitioner was not guilty of negligence or want of prudence in the care of the public money; but on the contrary, he humbly conceives the loss arose from circumstances beyond a prudent and discreet control exercised by him.

That Messrs. Greene & Co. have paid your petitioner ten per cent. upon the amount of the public money in their hands at the time of their failure, but as more than two years have elapsed since it took place, and as all hopes of any further payment being made, are aban-

done by your petitioner, as well as by others having funds in their hands, your petitioner feels impelled to seek relief of your honorable bodies, which he humbly and respectfully trusts may be accorded to him.

And your petitioner therefore prays your honorable bodies to authorize and direct that the sum of \$1,318, with interest thereon, be reimbursed him.

And your petitioner will ever pray.

W. H. VESEY,
United States Consul at Havre.

A.

Extract of a letter from the Fifth Auditor of the Treasury Department dated—

WASHINGTON CITY D. C., *August 14, 1858.*

Allow me, sir, to take this opportunity to compliment you, upon the uniform neatness and accuracy with which your accounts are made up.

I am sir, very respectfully, your obedient servant,

T. M. SMITH,
Acting Fifth Auditor.

WILLIAM H. VESEY, Esq.,
United States Consul, Havre.

B.

DEPARTMENT OF STATE,
Washington, May 14, 1859.

SIR: Your dispatch (No. 9) of the 15th of February last, in which you request the President's permission to resign the office of consul of the United States at Havre, has been received.

Some delay has unavoidably occurred in acceding to your wish to be relieved of the duties of the consulate in consequence of the difficulty of suitably filling an office of so much importance as the Havre consulate, the duties of which in your hands have been discharged so acceptably to the commercial interests of the United States and to this department.

I have now to acquaint you that the President has selected as your successor Mr. Simeon M. Johnson, who was formerly United States consul at Matanzas, and has been more recently connected with the judiciary department of his native State.

In accepting your resignation, I am directed by the President to assure you that the satisfactory manner in which you have discharged

the official duties during the last sixteen* years of the consulates at Lisbon, Antwerp, and Havre, has justly merited and received the commendation of the government of the United States.

I am, sir, your obedient servant,

LEWIS CASS.

WILLIAM H. VESEY, Esq.,
United States Consul, Havre.

* Should have been *twenty-six*—St. Ubes 10½ years omitted.

C.

PARIS, *March 23, 1859.*

We certify that the account on our books of W. H. Vesey, Esq., American consul at Havre, showed a balance in his favor of 7,628f. 20c. (seven thousand six hundred and twenty-eight francs twenty centimes) on the 27th March, 1857; which sum was then due to him.

GREENE & CO., *in liq.*

PARIS, *March 23, 1859.*

I, Thomas Taylor, of Havre, in the Empire of France, do hereby solemnly declare and make oath that I have been many years employed as cashier and principal clerk in the American consulate at that port. That to my positive knowledge Mr. W. H. Vesey, United States consul at Havre aforesaid, was in the habit of depositing in the hands of Messrs. Greene & Co., respectable American bankers of Paris, for safe-keeping, fees received at that office on account of the United States. That on or about the 27th day of March, 1857, Messrs. Greene & Co. suspended their payments, and the amount in their hands so paid to them, belonging to the United States, amounted on this day to 7,628f. 20c., say seven thousand six hundred and twenty-eight francs and twenty centimes, agreeably to the above declaration, which amount Mr. Vesey paid to the United States from out of his private funds. That since the date of such payment to the United States by Mr. Vesey he has received a dividend from Greene & Co. of ten per cent. thereon; and that for the balance of 6,865f. 40c., say six thousand eight hundred and sixty-five francs and forty centimes, equal to \$1,318 15, say thirteen hundred and eighteen dollars and fifteen cents, Mr. Vesey has no security whatever, or for any part thereof.

THOMAS TAYLOR.

CONSULATE OF THE UNITED STATES OF AMERICA, }
City of Paris, Empire of France. } ss.

On this 23d day of March, 1859, before me, Henry W. Spencer, United States consul at Paris aforesaid, personally appeared Thomas Taylor, the person described in, and who made, the foregoing decara-

tion, and made solemn oath that the contents thereof were true, the said Thomas Taylor being personally known to me.

In testimony whereof I have hereunto set my hand and official seal, on the day and year aforesaid.

[L. s.]

HENRY W. SPENCER,
United States Consul.

D.

LEGATION DES ETATS UNIS,
Paris, January 19, 1857.

I certify that since I have been in Paris I employed Messrs. Greene & Co. as my bankers until they suspended business in the month of March last. That, up to the date of their suspension, the house had my entire confidence, and the very large number of depositors with them shows that the confidence was general.

I further certify that Mr. W. H. Vesey, the consul of the United States at Havre, has often conversed with me on the subject of his safe-keeping of the public money in his hands in the interval between its receipt and disbursement or remittance. In the absence of instructions from the government, and as the provision made by law for the safe-keeping of the public money—made by the independent treasury act—does not extend to foreign countries, Mr. Vesey's depositing such moneys with bankers appeared to me to be judicious, and far more secure than to endeavor to keep them in his own custody in a seaport town like Havre, where both at his consulate and lodgings they would have been greatly exposed.

His banking with the branch house of Messrs. Greene & Co., at Havre, met my entire approval, and I more than once expressed to him the opinion that, without some other means of security being furnished by the government, that course seemed to me best for the public interests.

I had no right to control the operation, but I thought then, and still think, that as consul he used extreme diligence and judicious means to protect the public interests.

J. Y. MASON

We, the undersigned, residing and transacting business in Havre and Paris, hereby certify that Messrs. Greene & Co., American bankers at Paris, were considered, previous to their failure, highly respectable bankers; and that a large number of our countrymen, travelers as well as others, deposited funds in their hands for safe-keeping.

WHITLOCK & PUNNETT.

DRAPER & HAGENOW.

O. BORMAFFE.

WILLIAM HELM.

ALBERT N. CHRYSSTIC.

J. J. APPLETON,

Late Chargé d'Affairs of the United States at Stockholm.